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*Class Counsel for Lead Plaintiffs Julia and  
Richard Junge and the Class*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JULIA JUNGE and RICHARD JUNGE, on  
behalf of themselves and a class of similarly  
situated investors,

Plaintiffs,

v.

GERON CORPORATION and JOHN A.  
SCARLETT,

Defendants.

Case No.: 3:20-cv-00547-WHA (DMR)

CLASS ACTION

(Consolidated with Case No. 3:20-cv-01163-  
WHA)

(Related to Case No.: 3:20-cv-02823-WHA;  
3:22-mc-80051-WHA)

**STIPULATION AND [PROPOSED]  
ORDER CONCERNING DEPOSITION  
UNDER FED. R. CIV. P. 30(b)(1) AFTER  
FACT DISCOVERY CUT-OFF**

1 WHEREAS, the Case Management Order (ECF No. 139) in the above-captioned action  
2 provides that the non-expert discovery cut-off date was March 18, 2022;

3 WHEREAS, on December 21, 2021, under Rule 26 of the Court's Supplemental Order to  
4 Order Setting Initial Case Management Conference in Civil Cases before Judge William Alsup,  
5 Lead Plaintiffs requested from Defendants dates for depositions of certain current or former  
6 employees of Defendant Geron Corporation ("Geron" or the "Company"), including Neeru Batra,  
7 a current employee of Geron;

8 WHEREAS, on January 4, 2022, Defendants informed Lead Plaintiffs that Ms. Batra is  
9 currently on maternity leave from the Company;

10 WHEREAS, on January 6 and 21, 2022, Lead Plaintiffs asked Defendants to advise when  
11 Ms. Batra may be available for a deposition during the fact-discovery period;

12 WHEREAS, on February 2, 2022, Defendants informed Lead Plaintiffs that Ms. Batra is  
13 currently out on medical leave and then she will be out on maternity leave with a newborn child  
14 and, therefore, is unavailable to be deposed during the fact-discovery period (*i.e.*, on or before  
15 March 18, 2022);

16 WHEREAS, the Parties met and conferred, and agreed that Lead Plaintiffs may take  
17 Ms. Batra's deposition after the fact discovery cut-off, and on February 9, 2022, submitted a  
18 Stipulation and Proposed Order Concerning Deposition under Fed. R. Civ. P. 30(b)(1) after Fact  
19 Discovery Cut-Off (ECF No. 161);

20 WHEREAS, on February 10, 2022, the Court so ordered the parties stipulation that under  
21 Rule 30(b)(1) of the Federal Rules of Civil Procedure and the Case Management Order (ECF  
22 No. 139), Lead Plaintiffs may take Ms. Batra's deposition after the fact discovery cut-off of  
23 March 18, 2022; and Defendants shall provide at least three dates when Ms. Batra would be  
24 available for such a deposition under Rule 30(b)(1) of the Federal Rules of Civil Procedure on or  
25 before June 2, 2022 (ECF No. 162);

26 WHEREAS, on March 22, 2022, the Court entered the Joint Stipulation for Modification of  
27 Certain Deadlines in Case Management Order [ECF No. 139], which, among other things, set  
28 September 12, 2022, as the deadline for dispositive motions (ECF No. 195, ¶ 5);

1 WHEREAS, on May 4, 2022, the Parties discussed the timing of Ms. Batra's deposition. In  
2 light of the modifications to the deadlines in the Case Management Order and Defendants informed  
3 Lead Plaintiffs that Ms. Batra continues to be out on maternity leave and, therefore, is unavailable  
4 to be deposed on or before June 2, 2022;

5 WHEREAS, on May 16, 2022, Defendants informed Lead Plaintiffs that Ms. Batra still does  
6 not have a return date from her maternity leave, but provided Lead Plaintiffs with three dates before  
7 the dispositive motion deadline of September 12, 2022 (July 26-28, 2022), where Ms. Batra had  
8 agreed to make herself available for deposition;

9 WHEREAS, on May 17, 2022, Lead Plaintiffs informed Defendants that they selected  
10 July 27, 2022, to take Ms. Batra's deposition;

11 WHEREAS, on May 18, 2022, the Parties submitted a Stipulation and Proposed Order  
12 Concerning Deposition under Fed. R. Civ. P. 30(b)(1) after Fact Discovery Cut-Off (ECF No. 223),  
13 and, on May 23, 2022, the Court ordered that Ms. Batra's deposition may take place on July 27,  
14 2022 (ECF No. 224);

15 WHEREAS, on June 28, 2022, the Court entered an Amended Scheduling Order whereby  
16 it, among other things, (1) extended the expert discovery cut-off to August 31, 2022, and the last  
17 date to file a dispositive motion to October 11, 2022, and (2) moved the Parties' trial date to  
18 January 17, 2023 (ECF No. 231);

19 WHEREAS, on July 22, 2022, Defendants informed Plaintiffs that Ms. Batra had not yet  
20 returned to work from her maternity leave and requested that Plaintiffs agree to further defer  
21 Ms. Batra's deposition and, subsequently, on July 23, 2022, informed Plaintiffs that Ms. Batra was  
22 available any day during the week of September 6-9, 2022, for her deposition;

23 WHEREAS, on July 22, 2022, Plaintiffs filed an Unopposed Motion to Extend Expert  
24 Disclosure and Discovery Deadlines in the June 28, 2022 Amended Scheduling Order, requesting  
25 that the Court extend, among other things, the expert discovery cut-off to October 14, 2022, and the  
26 dispositive motion deadline to November 14, 2022 (ECF No. 237);

WHEREAS, on July 24, 2022, the Court entered an order, among other things, extending the expert discovery cut-off to October 14, 2022, and the dispositive motion deadline to November 14, 2022 (ECF No. 238);

WHEREAS, on July 24, 2022, Plaintiffs informed Defendants that they selected September 7, 2022, to take Ms. Batra's deposition;

ACCORDINGLY, the Parties stipulate, and request that the Court order, as follows:

Under Rule 30(b)(1) of the Federal Rules of Civil Procedure and the Case Management Order (ECF No. 139), as modified by ECF Nos. 195, 231, and 238, Lead Plaintiffs may take Ms. Batra's deposition on September 7, 2022.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: July 25, 2022

Respectfully submitted,

**KAPLAN FOX & KILSHEIMER LLP**

**COOLEY LLP**

By: /s/ Jeffrey P. Campisi  
Jeffrey P. Campisi

By: /s/ Ryan E. Blair  
Ryan E. Blair

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*Class Counsel for Lead Plaintiffs Julia Junge  
and Richard Junge and the Class*

*Attorneys for Defendants Geron Corporation  
and John A. Scarlett*

**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

I, Jeffrey P. Campisi, attest that concurrence in the filing of this document has been obtained from the other signatory. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 25th day of July 2022, at New York, New York.

/s/ Jeffrey P. Campisi  
Jeffrey P. Campisi

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
THE HONORABLE JUDGE WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE